

Regulation to amend the Regulation respecting biomedical waste

Environment Quality Act

(chapter Q-2, ss. 31.0.6, 31.0.12, 46, 70, 95.1, 115.27 and 115.34; 2017, chapter 4)

1. The Regulation respecting biomedical waste (chapter Q-2, r. 12) is amended by inserting the following after subparagraph a of paragraph 3 of section 1:

“(a.1) a sharp object having been in contact with blood or with a biological liquid or tissue from a person or an animal and from domestic activities, such as an injection or provision of care;”.

2. Section 2 is amended by adding “other than waste referred to in subparagraph a.1 of paragraph 3 of section 1” at the end of paragraph 5.

3. Section 3 is amended by replacing the first paragraph by the following:

“3. Section 14, the second paragraph of section 15, sections 37 to 39 and section 45 do not apply to the operator of a system that transports biomedical waste if the operator transports

(1) less than 5 kg per transport of biomedical waste referred to in subparagraphs a and a.1 of paragraph 3 of section 1;

(2) less than 100 kg per month of biomedical waste referred to in section 1, where the transport is carried out by the generator of that waste.”.

4. The following is inserted after section 3:

“3.1. Only sections 10, 11, 21, 24 and 25 apply to any person having generated biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1, with the necessary modifications.

3.2. Subject to paragraph 1 of section 3.3, sections 12 to 14, the second paragraph of section 15, section 17, sections 37 to 40 and section 45 do not apply to an operator who recovers biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1 as part of the operation of a recovery site referred to in subparagraph a of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).

3.3. Section 12, the first paragraph of section 15 and section 16 apply to an operator who performs one of the following activities in a biomedical waste generation site:

(1) the recovery of biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1, as part of the operation of a recovery site referred to in subparagraph a of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*);

(2) the storage of biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1 and that was received from a recovery site referred to in subparagraph a of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters.

3.4. Section 13, the first paragraph of section 15 and section 16 apply to the operator who treats biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1 in a biomedical waste generation site, except the treatment referred to in section 54 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).”.

5. Section 18 is revoked.

6. Section 20 is replaced by the following:

“**20.** Section 66 of the Environment Quality Act (chapter Q-2) does not apply to biomedical waste stored on its generation site.”.

7. Section 22 is amended by replacing “in subparagraph a” in the first paragraph by “in subparagraphs a and a.1”.

8. Section 24 is amended

(1) by replacing “a holder of a certificate of authorization for the operation of a facility that treats biomedical waste by incineration or that stores biomedical waste” in the first paragraph by “an operator of a facility that treats biomedical waste by incineration or stores biomedical waste who is authorized for that purpose”;

(2) by replacing “a holder of a certificate of authorization for the operation of a facility that treats biomedical waste by disinfection or incineration or that stores biomedical waste” in the second paragraph by “an operator of a facility that treats biomedical waste by disinfection or incineration or that stores biomedical waste who is authorized for that purpose”.

9. Section 25 is amended by replacing “a holder of a certificate of authorization for the operation of a system that transports biomedical waste” by “an operator of a system that transports biomedical waste who is authorized for that purpose”.

10. The following is inserted after section 27:

“27.1. Only sections 33.1, 34 and 36.1 of this subdivision apply to the operator of a recovery site referred to in subparagraph a of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*) that receives biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1 of this Regulation.

27.2. Only sections 32, 34, 34.1 and 36.1 of this subdivision apply to the operator of a storage facility established in a biomedical waste generation site, where the waste received is the waste referred to in subparagraph a.1 of paragraph 3 of section 1 and comes from a recovery site referred to in subparagraph a of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).

However, despite section 32, the operator referred to in the first paragraph is not required to refuse delivery of the following biomedical waste:

(1) waste that, in contravention of the second paragraph of section 22, was not kept at a temperature less than 4 °C;

(2) the waste referred to in subparagraph a.1 of paragraph 3 of section 1 that, in contravention of section 23, does not bear an identification label.

27.3. Only section 36.1 of this subdivision applies to the operator of an autoclave treatment facility established in a biomedical waste generation site where the waste received for treatment is the waste referred to in subparagraph a.1 of paragraph 3 of section 1 and comes from a recovery site referred to in subparagraph a of paragraph 2 of section 53 of Schedule III to the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).

27.4. Only sections 32 to 34 and 36.1 of this subdivision apply to an institution in the health and social services network operating a storage or autoclave treatment facility for biomedical waste, where the waste that is shipped to the facility comes exclusively from institutions of that network conveying each a maximum of 100 kg of biomedical waste per month.”.

11. The following is inserted after section 33:

“33.1. The operator of a recovery site referred to in subparagraph a of paragraph 2 of section 53 of the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*) that recovers biomedical waste referred to in subparagraph a.1 of paragraph 3 of section 1 of this Regulation must store it in rigid, sealed and airtight containers which shall be perforation resistant.”.

12. The following is inserted after section 34:

“**34.1.** The operator of a storage facility established in a biomedical waste generation site must, before it is shipped, repack, in accordance with the first paragraph of section 22 and section 23, the waste referred to in subparagraph a.1 of paragraph 3 of section 1 that the operator received from a recovery site referred to in subparagraph a of paragraph 2 of section 53 of the Regulation respecting ministerial authorizations and declarations of compliance in environmental matters (*insert the reference to the CQLR*).”.

13. Section 36 is amended

(1) by inserting “, other than the waste referred to in section 36.1,” in the part preceding paragraph 1 after “that stores biomedical waste”;

(2) by replacing “sections 24 and 25 of the” in paragraph 2 by “sections 24 and 25 of this Regulation, the”.

14. The following is inserted after section 36:

“**36.1.** The operator referred to in section 27.1 or 27.2 and the facility referred to in section 27.3 must, prior to permanently ceasing their operations, ship biomedical waste and other residual materials in their facility in accordance with sections 24 and 25 of this Regulation, the Regulation respecting the landfilling and incineration of residual materials (chapter Q-2, r. 19), and, to the extent that that Regulation remains applicable, with the Regulation respecting solid waste (chapter Q-2, r. 13) and, where applicable, hazardous materials, in accordance with the Regulation respecting hazardous materials (chapter Q-2, r. 32).”.

15. Division III is revoked.

16. Section 64 is replaced by the following:

“**64.** Within 30 days following any change in the guarantee required under sections 57 to 61, an operator shall notify the Minister in writing of that change.”.

17. Section 64.2 is amended by striking out paragraph 4.

18. Section 64.4 is amended in the second paragraph

(1) by inserting “or stores biomedical waste referred to in section 33.1” in subparagraph 3 after “section 22”;

(2) by inserting the following after subparagraph 3:

“(3.1) does not repack biomedical waste referred to in section 34.1, in accordance with the conditions provided for in that section;”.

19. Section 64.5 is amended by inserting the following after paragraph 2:

“(2.1) to ship biomedical waste, other residual materials or hazardous materials prescribed by section 36.1, on the conditions provided for in that section;”.

20. Section 64.6 is amended by replacing “a holder of a certificate of authorization” in subparagraph 2 of the first paragraph by “an operator authorized for that purpose”.

21. Section 66 is amended by replacing “to 18” by “to 17”.

22. Section 66.2 is amended by inserting “, 33.1, 34.1”, in paragraph 1 after “33”.

23. Section 66.3 is amended by inserting “, section 36.1” in paragraph 1 after “36”.

24. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103316

Regulation to amend the Regulation respecting the liquid effluents of petroleum refineries

Environment Quality Act
(chapter Q-2, s. 95.1; 2017, chapter 4)

1. The Regulation respecting the liquid effluents of petroleum refineries (chapter Q-2, r. 16) is amended by revoking Division II.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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